PATENT TA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 0 6 2006

Thomas R. Keyser

Serial No.: 10/811,767

Filed: March 29, 2004

For: SILICON

OPTOELECTRONIC DEVICE
Group Art Unit: 2883

Examiner: B. Healy

Applicant:

Attorney Docket: H0004213

Confirmation No.: 4508

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on this date:

March 2, 2096

Tyevor B. Jolike Reg. No. 25,542

Attorney for Applicants

## PETITION

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir:

This is a petition under 37 CFR 1.78(a)(3) to amend the above captioned application in order to claim the benefit of the earlier filed U.S. Patent Application Serial No. 10/755,212 filed on January 12, 2004.

A preliminary amendment is being filed contemporaneously with this petition that amends the above captioned application in order to make reference to 03/07/2006 YPOLITE1 00000021 10811767

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Application Serial No. 10/811,767

the earlier filed U.S. Patent Application Serial No. 10/755,212.

The entire delay between the date this claim .

was due under 37 CFR 1.78(a)(2)(ii) and the present date of this petition was unintentional.

The fee set forth in 37 CFR 1.17(t) is included herewith.

The Commissioner is hereby authorized to charge any additional fees that may be required, or to credit any overpayment, to account No. 501519.

Respectfully submitted,

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March 2, 2006